



Health Care General Committee

**Monday, April 10, 2006
8:45 AM – 9:45 AM
306 HOB**

COMMITTEE ACTION PACKET

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Gayle Harrell (Chair)	X		
Loranne Ausley	X		
Kim Berfield	X		
Joyce Cusack	X		
Denise Grimsley	X		
D. Alan Hays	X		
Paige Kreegel	X		
Stan Mayfield			X
Dave Murzin	X		
Julio Robaina	X		
Juan Zapata	X		
Totals:	10	0	1

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

HB 491 : Immunizations

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley	X				
Kim Berfield	X				
Joyce Cusack	X				
Denise Grimsley	X				
D. Alan Hays	X				
Paige Kreegel	X				
Stan Mayfield			X		
Dave Murzin	X				
Julio Robaina	X				
Juan Zapata	X				
Gayle Harrell (Chair)	X				
Total Yeas: 10		Total Nays: 0			

HB 491 Amendments

Amendment 01

☒ Adopted as Amended

Amendment 01a

☒ Adopted Without Objection

Amendment 02a

☒ Adopted Without Objection

Appearances:

HB 491 -- Immunizations

Francie Plendl, Director of Governmental Affairs (Lobbyist) - Proponent

Florida Medical Association

123 South Adams Street

Tallahassee FL 32302

Phone: (850) 224-6496

HB 491 -- Immunizations

Dan Salmon, PhD, MPM (General Public) - Opponent

4921 NW 51st Place

Gainesville FL 32606

Phone: (443) 803-7754

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

Bill No. **HB 491**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

ADOPTED
04/10/2006

Council/Committee hearing bill: Health Care General Committee
Representative(s) Harrell offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:
Section 1. Autism study.--

(1) The Department of Health, in partnership with the regional autism centers pursuant to s. 1004.55, and in consultation with the Agency for Persons with Disabilities, the Department of Education, and the Developmental Disabilities Council shall conduct an autism epidemiology study and review of the literature. The goal of the study is to gain a better understanding of:

- (a) the prevalence in Florida of autism;
- (b) the unique demographic characteristics of the autistic population;
- (c) the effect family history, the effect of routinely recommended childhood vaccines;
- (d) the effect of other possible environmental exposure to thimerosal and ethyl mercury; and

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

(e) the effect of other toxic chemicals and other environmental factors that may be presumed to impact or may be associated with the emergence of autism.

(2) The department may consult with state or private Florida university medical schools and pharmacy schools in conducting this study.

(3) The department shall submit a report of its findings to the Governor, the President of the Senate, and the Speaker the House of Representatives by October 1, 2007.

Section 2. Department of Health - Administration of routinely recommended childhood vaccines notice--

(1) The Department of Health shall prepare two notices for any health care practitioner as defined in 456.001(4) that administer routinely recommended childhood vaccines to children under the age of three for display in the office or location where the vaccination takes place. The notices shall be written in simple language so that it is understandable by the general population.

(2) If the health care practitioner uses a vaccine containing thimerosal, the notice shall contain at minimum:

(a) A statement regarding the use of thimerosal or ethyl mercury-containing routinely recommended childhood vaccines by the health care practitioner; and

(b) An official statement or position from the federal government agencies on thimerosal and ethyl mercury in routinely recommended childhood vaccines.

(c) The website address of the Department Health pertaining to routinely recommended childhood vaccines and immunization.

(d) The website address of the Center for Disease Control, and National Institute of Health pertaining to the latest

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scientific knowledge regarding the use of thimerosal and ethyl mercury in routinely recommended childhood vaccines.

(3) If the health care practitioner does not use a vaccine containing thimerosal or ethyl mercury, the notice shall state a minimum:

(a) A statement that the health care practitioner uses routinely recommended childhood vaccines that are free of thimerosal or ethyl mercury.

(b) The website address of the Department Health pertaining to routinely recommended childhood vaccines and immunization.

(c) The website address of the Center for Disease Control, and National Institute of Health pertaining to the latest scientific knowledge regarding the use of thimerosal and ethyl mercury in routinely recommended childhood vaccines.

Section 3. Notice to the Public.--
Any health care practitioner as defined in 456.001(4) that administers routinely recommended childhood vaccine to a child under the age of three shall have in the office or location where the vaccination takes place an applicable notice pursuant to this act regarding vaccination as prepared by the department of Health pursuant to this act. The notice of vaccine effect shall be displayed in a location conspicuous to the public or as required by the department of Health.

Section 4. This act shall take effect January 1, 2007.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

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h0491-HCG-0601cr-strikeall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

82 An act relating to routinely recommended childhood
83 vaccines; requiring the department to prepare a notice
84 for any health care practitioner that administers
85 routinely recommended childhood vaccines for display in
86 the office or location where the vaccination takes place,
87 providing notice requirements; requiring certain health
88 care practitioners that administers routinely recommended
89 childhood vaccines to post a notice to the public prepared
90 by the department of Health; providing an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 01a (for drafter's use only)

Bill No. HB 491

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

ADOPTED
04/10/2006

Council/Committee hearing bill: Health Care General

Representative(s) Grimsley offered the following:

Amendment to Amendment (01) by Representative Harrell

Remove line(s) 7-29 and insert:

Section 1. Autism study.--The University of Miami, in conjunction with the regional autism centers pursuant to s. 1004.55 shall conduct an autism epidemiology study and review of the literature. The goal of the study is to gain a better understanding of the prevalence in the state of autism, unique demographic characteristics of the autistic population, family history, the effect of routinely recommended childhood vaccines with thimerosal, effect of other environmental exposure to mercury, effect of other toxic chemicals and other factors that impact development of autism. The university may consult with other Florida university medical schools and pharmacy schools in conducting this study. The university shall submit a report of its findings to the Governor, the President of the Senate, and the Speaker the House of Representatives by October 1, 2007.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02a (for drafter's use only)

Bill No. HB 491

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

ADOPTED
04/10/2006

Council/Committee hearing bill: Health Care General
Representative(s) Grimsley offered the following:

Amendment to Amendment (01) by Representative Harrell

Remove line(s) 30-66 and insert:

Section 2. Department of Health - Administer of routinely
recommended childhood vaccines notice --
The Department of Health shall prepare a notice for all health
care practitioners as defined in 456.001(4) that administer
routinely recommended childhood vaccines for display in the
office or location where the vaccination takes place. The
notice shall be written in simple language so that it is
understandable by the general population and shall be made
available in both English and Spanish. The notice shall contain
at minimum:

(a) A statement regarding the use of routinely recommended
childhood vaccines by the health care practitioners with
specific notice to consumers that all vaccines may contain
thimerosal; and

(b) An official statement or position from the federal
government agencies on thimerosal and mercury in routinely
recommended childhood vaccines.

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Amendment No. 02a (for drafter's use only)

(c) The website address of the Department Health
pertaining to routinely recommended childhood vaccines and
immunization.

(d) The website address of the Center for Disease Control,
and National Institute of Health pertaining to the latest
scientific knowledge regarding the use of thimerosal in
routinely recommended childhood vaccines.

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

HB 855 : Dental Laboratories

☒ Unfavorable - Motion to lay HB 855 on the table

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Kim Berfield			X		
Joyce Cusack		X			
Denise Grimsley		X			
D. Alan Hays	X				
Paige Kreegel		X			
Stan Mayfield			X		
Dave Murzin		X			
Julio Robaina	X				
Juan Zapata	X				
Gayle Harrell (Chair)		X			
Total Yeas: 3		Total Nays: 5			

HB 855 Amendments

Amendment 01a

☒ Adopted Without Objection

Appearances:

HB 855 -- Dental Laboratories
Ron Watson (Lobbyist) - Opponent
Florida Dental Association
118 East Jefferson Street
Tallahassee FL 32301
Phone: (850) 224-6496

HB 855 -- Dental Laboratories
Charles E. McClemens, CDT, President/FDLA Board Member (General Public) - Proponent
Florida Dental Laboratory Association
5919 Wingspan Way
Bradenton FL 34203
Phone: (941) 780-5915

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01a (for drafter's use only)

Bill No. **HB 855**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

ADOPTED
04/10/2006

Council/Committee hearing bill: Health Care General Committee
Representative(s) Jordan offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Present subsection (5) of section 466.018,
Florida Statutes, is renumbered as subsection (6), and a new
subsection (5) is added to that section to read:

466.018 Dentist of record; patient records; disclosure.--

(5) Upon final delivery of a restorative or cosmetic case
to a patient, such as crowns, bridges, implants, veneers,
orthodontic appliances, complete or partial dentures, or other
prosthetic devices, the dentist shall provide to the patient a
list of the materials used in the case, along with the chemical
composition and any contraindications of the materials, and
shall disclose the name and address of the dental laboratory at
which the case was manufactured.

Section 2. Section 466.021, Florida Statutes, is amended
to read:

466.021 Employment of registered dental laboratories
~~unlicensed persons~~ by dentist; penalty.--Every duly licensed
dentist who uses the services of any registered dental

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Amendment No. 01a (for drafter's use only)

23 laboratory ~~unlicensed person~~ for the purpose of constructing,
24 altering, repairing, or duplicating any denture, implant,
25 veneer, partial denture, bridge splint, or orthodontic or other
26 prosthetic appliance shall be required to furnish the registered
27 dental laboratory ~~such unlicensed person~~ with a written
28 prescription ~~work order~~ in a such form ~~as~~ prescribed by rule of
29 the board. This prescription ~~form~~ shall be dated and signed by
30 the ~~such~~ dentist, and ~~shall~~ include the license number of the
31 dentist, the patient's name or number with sufficient
32 descriptive information to clearly identify the case for each
33 separate and individual piece of work, the registration number
34 of the registered dental laboratory performing the work, a
35 specification of materials desired. Additionally, materials such
36 as dental impressions shipped or delivered to a registered
37 dental laboratory by a dental office shall be shipped in a bag
38 approved by the Occupational Safety and Health Administration. A
39 copy of the prescription ~~such work order~~ shall be retained in a
40 file in the dentist's office for a period of 4 years, and the
41 original prescription ~~work order~~ shall be retained in a file by
42 the registered dental laboratory for a period of 4 years ~~by such~~
43 ~~unlicensed person in her or his place of business. The~~ Such file
44 of prescriptions ~~work orders~~ to be kept by the ~~such~~ dentist and
45 ~~or by the registered dental laboratory~~ ~~such unlicensed person~~
46 shall be open to inspection at any reasonable time by the
47 department or its duly constituted agent. Failure of the dentist
48 to keep records of the prescriptions ~~such work orders~~ shall
49 subject the dentist to suspension or revocation of her or his
50 license to practice dentistry. Failure of a registered dental
51 laboratory to have the original or electronic copy of the
52 prescriptions ~~such unlicensed person to have in her or his~~
53 ~~possession a work order~~ as required by this section is ~~shall be~~

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Amendment No. 01a (for drafter's use only)

54 admissible evidence of a violation of this chapter and
55 constitutes ~~shall constitute~~ a misdemeanor of the second degree,
56 punishable as provided in s. 775.082 or s. 775.083. This section
57 does not preclude a registered dental laboratory from working
58 for another registered dental laboratory ~~if, provided that such~~
59 work is performed pursuant to written authorization, in a form
60 to be prescribed by rule of the board, that ~~which~~ evidences that
61 the originating laboratory has obtained a valid prescription
62 ~~work order~~ and that ~~which~~ sets forth the work to be performed.
63 This section does not preclude a registered laboratory from
64 providing its services to dentists licensed and practicing in
65 another state ~~if, provided that such~~ work is requested or
66 otherwise authorized in written form that ~~which~~ clearly
67 identifies the name and address of the requesting dentist and
68 ~~which~~ sets forth the work to be performed.

69 Section 3. Section 466.032, Florida Statutes, is amended
70 to read:

71 466.032 Registration.--

72 (1) Every person, firm, or corporation operating or
73 conducting business as a dental laboratory in this state shall
74 register biennially with the department on forms to be provided
75 by the department and, at the same time, pay to the department a
76 registration fee not to exceed \$300 for which the department
77 shall issue a registration certificate entitling the holder to
78 operate a dental laboratory for a period of 2 years.

79 (2) Any business that registers as a new dental laboratory
80 after October 1, 2006, shall as part of establishing its
81 eligibility to register provide to the department proof that
82 either the owner of the dental laboratory or a dental technician
83 who is employed full time by the dental laboratory has, at a
84 minimum, passed the comprehensive written exam for dental

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85 technology as administered by the National Board for
86 Certification in Dental Laboratory Technology. This requirement
87 does not apply to a dental laboratory that is physically located
88 within a dental practice operated by a licensed dentist as
89 defined in this chapter.

90 (3) Any dental laboratory registered on or after October
91 1, 2008, shall submit proof to the department that the owner or
92 at least one dental technician employed full time by the
93 registered dental laboratory has attended a minimum of 24 hours
94 of continuing education in dental technology during the 2-year
95 registration renewal period with at least 12 hours in scientific
96 or technical courses and at least 2 hours in Occupational Safety
97 and Health Administration compliance standards for dentistry.

98 (4) Each registered dental laboratory shall provide the
99 number of technician employees and nontechnician employees
100 employed by the laboratory both on its initial registration
101 application and subsequent registration renewals with the
102 department.

103 (5)-(2) Upon the failure of any dental laboratory operator
104 to comply with subsection (1), the department shall notify her
105 or him by registered mail, within 1 month after the registration
106 renewal date, return receipt requested, at her or his last known
107 address, of the ~~such~~ failure and inform her or him of the
108 provisions of subsections (6)-(3) and (7)-(4).

109 (6)-(3) Any dental laboratory operator who has not complied
110 with subsection (1) within 3 months after the registration
111 renewal date shall be required to pay a delinquency fee of \$40
112 in addition to the regular registration fee.

113 (7)-(4) The department is authorized to commence and
114 maintain proceedings to enjoin the operator of any dental
115 laboratory who has not complied with this section from operating

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Amendment No. 01a (for drafter's use only)

116 or conducting business as a dental laboratory in this state
117 until she or he has obtained a registration certificate and paid
118 the required fees.

119 Section 4. Section 466.036, Florida Statutes, is amended
120 to read:

121 466.036 Information; periodic inspections; equipment,
122 supplies and infection control.--The department may require from
123 the applicant for a registration certificate to operate a dental
124 laboratory any information necessary to carry out the purpose of
125 this chapter, including proof that the applicant has the
126 equipment and supplies necessary to operate or conduct business
127 as determined by rule of the department, and shall require
128 periodic inspection of all dental laboratories operating in this
129 state. Such inspections shall include, but not be limited to,
130 inspection of sanitary conditions, equipment, supplies, and
131 facilities on the premises. The department shall specify dental
132 equipment and supplies that are not permitted in a registered
133 dental laboratory. Cases or materials shipped or delivered to a
134 dental office by a registered dental laboratory shall be shipped
135 in a bag approved by the Occupational Safety and Health
136 Administration. The department is not required to conduct
137 inspection of any registered dental laboratory in another state
138 or country.

139 Section 5. This act shall take effect July 1, 2006.

141 ===== T I T L E A M E N D M E N T =====

142 Remove the entire title and insert:

143 An act relating to dentistry; amending s. 466.018, F.S.;
144 requiring a dentist to provide specified information to a
145 patient relating to restorative or cosmetic cases;
146 amending s. 466.021, F.S.; providing that requirements

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Amendment No. 01a (for drafter's use only)

147 relating to certain dental work apply to registered dental
148 laboratories in lieu of "any unlicensed person"; revising
149 the procedure by which a dentist may outsource certain
150 dental work; amending s. 466.032, F.S.; revising
151 provisions relating to dental laboratory registration;
152 requiring certain dental laboratories to submit specified
153 information to the Department of Health; amending s.
154 466.036, F.S.; providing that the department shall not be
155 required to conduct inspection of certain dental
156 laboratories; providing an effective date.

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

HB 1013 CS : Lyme Disease

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay.</i>
Loranne Ausley	X				
Kim Berfield			X		
Joyce Cusack	X				
Denise Grimsley	X				
D. Alan Hays	X				
Paige Kreegel	X				
Stan Mayfield			X		
Dave Murzin	X				
Julio Robaina			X		
Juan Zapata	X				
Gayle Harrell (Chair)	X				
Total Yeas: 8 Total Nays: 0					

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

Workshop

HB 1073:

Appearances:

Jennifer Drett, Executive Director (Lobbyist) - Proponent

HB 1073 -- Reproductive Health Services

Florida Council Against Sexual Violence

1311 N. Paul Russell Road Suite A-204

Tallahassee FL 32301

Phone:(850) 297-2000

Larry Spalding, Legislative Staff Counsel (WAIVED TIME IN SUPPORT OF THE BILL) (Lobbyist) - Proponent

HB 1073 -- Reproductive Health Services

American Civil Liberties Union

314 West Jefferson Street

Tallahassee FL 32301

Phone:(850) 425-1050

Michael Sheedy, Associate for Health (Lobbyist) - Information Only

HB 1073 -- Reproductive Health Services

Florida Catholic Conference

201 W. Park Avenue

Tallahassee FL 32301

Phone:(850) 222-3803

Robin Hoffman, President (WAIVED TIME) - Opponent

HB 1073 -- Reproductive Health Services

Florida Right to Life

419 Lovelia Road

St. Augustine FL 32086

Phone:(904) 797-5673

Rosalind M. Brown, Senior Community Educator (General Public) - Proponent

HB 1073 -- Reproductive Health Services

Planned Parenthood Greather Miami and Palm Beach

504 NW 17th Street

Okeechobee FL 34972

Phone:(561) 801-2184

Stephanie Goutman, Executive Director (WAIVED TIME IN SUPPORT OF THE BILL) (Lobbyist) - Proponent

HB 1073 -- Reproductive Health Services

Florida Association of Planned Parenthood Affiliates

2300 N. FL Mango Road

West Palm Beach FL 33409

Phone:(561) 472-9977

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM

COMMITTEE MEETING REPORT

Health Care General Committee

4/10/2006 8:45:00AM

Location: 306 HOB

Summary:

Health Care General Committee

Monday April 10, 2006 08:45 am

HB 491 Favorable With Committee Substitute

Yeas: 10 Nays: 0

Amendment 01 Adopted as Amended

Amendment 01a Adopted Without Objection

Amendment 02a Adopted Without Objection

HB 855 Unfavorable

Yeas: 3 Nays: 5

Amendment 01a Adopted Without Objection

HB 1013 CS Favorable

Yeas: 8 Nays: 0

HB 1073 Workshopped

Committee meeting was reported out: Monday, April 10, 2006 4:06:57PM